



**SO ORDERED.**

**SIGNED this 23 day of July, 2010.**

  
J. Rich Leonard  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

**IN RE:**

**LINDA BARBARA MURDOCK,  
  
DEBTOR.**

**CASE NO. 09-03734-8-JRL  
Chapter 7**

**ORDER**

This case is before the court on the debtor's motion for determination regarding unclaimed funds subject to writ of execution. A hearing took place in Raleigh, North Carolina on July 13, 2010.

The debtor filed a petition for relief under chapter 7 of the Bankruptcy Code on May 6, 2009. On September 17, 2009, the court ordered HFC/Beneficial to pay sanctions for willful violations of the automatic stay of \$5,000, with additional sanctions accruing at \$100 per day for failure to pay within 20 days. Despite receiving notice of the order at multiple addresses provided by the lender, HFC/Beneficial failed to comply with the order. A writ of execution was issued on May 13, 2010. The Clerk of United States Bankruptcy Court for the Eastern District

of North Carolina holds unclaimed funds under various names associated with HFC/Beneficial.<sup>1</sup> To demonstrate that the names associated with the unclaimed funds are aliases of the named respondent, the debtor presented the official Form 10-K for 2008 of HSBC Finance Corporation and the official form 6-K for March 2009 of HSBC Holdings PLC. The corporate history in the 10-K states that HSBC operated as HFC for most of its history, was acquired by HSBC Holdings plc, and eventually changed its name to HSBC Finance Corporation.<sup>2</sup> The 6-K announces that HSBC will discontinue operating its consumer lending branches, officially branded as HFC and Beneficial, and provides that HSBC's remaining US subsidiaries – HSBC Finance, HSBC Bank, and HSBC Finance Corporation – will continue operating. A variety of newspaper and online articles link HSBC to Beneficial Finance/ Beneficial Finance Corporation; HSBC announced in June of 2009 that it would shut down its British sub-prime division, HFC, including its subsidiary Beneficial Finance. The public record confirms that Beneficial Finance ceased to operate in July 2009, and Beneficial Finance's corporate website directs inquiries to HFC Bank.

Based on the record, the debtor's motion to determine which unclaimed funds are subject to execution is GRANTED as to funds held in the name of HFC, HFC/Beneficial, Beneficial, Beneficial Inc., Beneficial Finance, and Beneficial Finance Co.. The attached Exhibit A identifies by case number the unclaimed funds subject to the writ of execution.

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<sup>1</sup> The names found include HFC, HFC/Beneficial, Beneficial, Beneficial Credit, Beneficial Finance, Beneficial Finance Co., Beneficial Financial, Beneficial, Inc., Beneficial Mortgage, Beneficial National Bank, Beneficial National Bank USA, Beneficial North Carolina, Beneficial of North Carolina, and Beneficial Tax Masters.

<sup>2</sup> In the United Kingdom, HFC continues to operate under the name of HFC Bank.

**EXHIBIT A**

<b>Case Number</b>	<b>Case Name</b>	<b>Amount</b>	<b>Creditor</b>	<b>Address</b>
0-15	MELVIN, Anthony Melvin & Latonia Johnson	\$ 345.20	Beneficial	
0-1632	MATTHEW VANBUREN BASSETT	\$ 93.44	Beneficial	P O Box 9055 Brandon, FL 33509-0955
0-6151	Cotton, Donnie Ray and Majorie Johnson	\$ 34.71	Beneficial	
1-71	Hood, Burnette Hedgepeth	\$ 43.21	Beneficial	
2-5349	RAYMOND LEE OWENS	\$ 68.74	Beneficial	
3-8939	Boseman, Anthony Wade and Denise Lavina	\$ 40.02	Beneficial	
4-893	Boyd, Cathy C.	\$ 46.37	Beneficial	
4-3619	Jackson, Willie Elgin	\$ 191.95	Beneficial	
4-6503	STEVEN LEWIS COOMBS	\$ 188.73	BENEFICIAL	961 WEIGEL AVE ELMHURST, IL 60126
6-105	RUBY E COLVILLE	\$ 130.51	Beneficial	1301 E. Tower Rd. Schaumburg, IL 60173
6-105	RUBY E COLVILLE	\$ 248.84	Beneficial	1301 E Tower Rd Schaumburg, IL 60173
95-2306	QUIN P. & NANCY SMITH O'QUIN	\$ 43.07	Beneficial	
96-1669	PAUL & MARY DIAVOLIKIS	\$ 30.92	Beneficial	
97-2142	JAMES H MILLS	\$ 53.55	Beneficial	1401 SE Maynard RD STE H Cary, NC 27511-6924
97-2142	JAMES H MILLS	\$ 54.00	Beneficial	1401 SE Maynard Rd STE H Cary, NC 27511-6924
97-4552	Huffman, Garry and Teresa Sawyer	\$ 39.63	Beneficial	
97-4611	PAQUETTE, Bradley John & Novemberann M.	\$ 31.49	Beneficial	
98-5085	Britt, Dwight Keith and Lisa C.	\$ 82.03	Beneficial	

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98-1226	BEAMON, Sidney Bruce & Cammie Atkinson	\$ 45.50	Beneficial Fin.	
84-1321	TERRY & RETHA MAE LITTLE BLOUNT	\$ 48.00	Beneficial Finance	
88-441	DON A. & GLADYS A. TADLOCK	\$ 131.00	BENEFICIAL FINANCE	215 BERKELEY BLVD GOLDSBORO, NC 27530
95-3044	BOBBY GENE & TONYA DENISE HOLTS	\$ 34.43	Beneficial Finance	
96-1966	THOMAS LOOMIS & LISA MARIE PUGH	\$ 72.66	Beneficial Finance	
96-2645	JASON O'DAY & KELLY ANN BAKER	\$ 36.00	Beneficial Finance	
96-4409	ROGER C. & CLYDER S. WELLS	\$ 45.84	Beneficial Finance	
96-6479	JOHN ABRAHAM, III & GAY Y. TUCKER	\$ 46.85	Beneficial Finance	
97-3743	MOSBY, Karen Rene'	\$ 91.66	Beneficial Finance	
97-5495	JEFFREYS, Michelle J.	\$ 58.00	Beneficial Finance	
98-46	DANIELS, Karen	\$ 46.26	Beneficial Finance	
98-1217	REGINALD & ANGELA WYCHE	\$ 30.88	Beneficial Finance	
98-4381	COLEY, James Roy	\$ 38.81	Beneficial Finance	
98-5279	JONES, David A. and Sally M.	\$ 74.56	Beneficial Finance	
90-2780	JAMES & LINDA McFADDEN	\$ 149.06	BENEFICIAL FINANCE CO.	
95-957	SANDRA OWEN	\$ 33.03	Beneficial Finance Co.	
95-1398	BETTY WATSON	\$ 34.90	Beneficial Finance Co.	
95-1398	BETTY WATSON	\$ 79.47	Beneficial Finance Co.	
96-597	KENNETH & DESADRA LEONARD	\$ 133.41	Beneficial Finance Co.	
96-716	RANDY GRIFFIN	\$ 53.51	Beneficial Finance Co.	
96-1201	DONALD CARRINGTON	\$ 39.81	Beneficial Finance Co.	
97-342	JASON & AMY NAPIER	\$ 41.87	Beneficial Finance Co.	
97-498	RANDY & KIMBERLY OAKLEY	\$ 59.64	Beneficial Finance Co.	
97-1843	ROY & CYNTHIA CAMPBELL	\$ 26.80	Beneficial Finance	

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			Co.	
97-2188	DEVI WILSON	\$ 76.83	Beneficial Finance Co.	
96-4927	RAY M. & LETHA M. LEWIS	\$ 28.21	Beneficial Financial	
97-1682	MCLAURIN, Annie Neal	\$ 90.45	Beneficial Financial	
96-597	KENNETH & DESADRA LEONARD	\$ 28.89	Beneficial Inc.	

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<b>Case Number</b>	<b>Case Name</b>	<b>Amount</b>	<b>Creditor</b>	<b>Address</b>
4-3087	DIANA SENNET-FENN	\$ 99.84	HFC	1301 E. Tower Rd. Schaumburg, IL 60173
3-8300	JOYCE JONES	\$ 43.36	HFC/BENEFICIAL	1301 E Tower Rd Payment Processing Schaumburg, IL 60173
3-9619	COREY JAMES ATKINSON	\$ 49.49	HFC/BENEFICIAL	1301 E Tower Rd Payment Processing Schaumburg, IL 60173

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